

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

DENISE HUGHES and BOB HUGHES,

Plaintiffs,
v.

Case Number 04-10355-BC
Honorable David M. Lawson

REGION VII AREA AGENCY ON AGING,
a Michigan municipal corporation; BRUCE KING,
individually and as Executive Director of Region
VII Area Agency on Aging; DREW ORVOSH,
individually and as Assistant Director of Region
VII Area Agency on Aging; BRIAN K. EDLER;
and LEARMAN, PETERS, SAROW &
McQUILLAN, P.L.C.,

Defendants.

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ORDER DENYING DEFENDANTS' MOTION FOR RECONSIDERATION

Before the Court is the defendants' motion seeking reconsideration of the Court's order rejecting the magistrate judge's report and recommendation and denying the motions for summary judgment. Motions for reconsideration may be granted pursuant to E.D. Mich. LR 7.1(g) when the moving party shows (1) a "palpable defect," (2) that misled the court and the parties, and (3) that correcting the defect will result in a different disposition of the case. E.D. Mich. LR 7.1(g)(3). A "palpable defect" is a defect which is obvious, clear, unmistakable, manifest, or plain. *Mich. Dep't of Treasury v. Michalec*, 181 F. Supp. 2d 731, 734 (E.D. Mich. 2002) (citations omitted).

The defendants here have not demonstrated any mistake of fact or law that amounts to a "palpable defect." Rather, the defendants re-assert the arguments presented the first time around. The Local Rules provide, however, that any "motions for rehearing or reconsideration which merely present the same issues ruled upon by the Court, either expressly or by reasonable implication, shall not be granted." E.D. Mich. LR 7.1(g)(3). The Court will deny the motion for reconsideration.

Accordingly, it is **ORDERED** that the defendants' motion for reconsideration of the order of March 28, 2006 [dkt # 44] is **DENIED**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: April 20, 2006

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on April 20, 2006.

s/Tracy A. Jacobs
TRACY A. JACOBS